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Dear Secretary,

NOV 20 1997

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Enclosed please find the original and 4 copies of a Petition for Rule-Making, along with a computer diskette containing a plain ascii text version of the petition.

Sincerely,

Richard K. Harrison

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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION

Washington, D.C. 20554

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PETITION FOR RULE-MAKING

To the Commission:

This petition requests that the rules governing the power levels of unlicensed broadcasts in the AM band be modified.

To the best of my knowledge, 47 CFR section 15.219 currently reads as follows:

Sec. 15.219 Operation in the band 510-1705 kHz.

(a) The total input power to the final radio frequency stage (exclusive of filament or heater power) shall not exceed 100 milliwatts.

(b) The total length of the transmission line, antenna and ground lead (if used) shall not exceed 3 meters.

(c) All emissions below 510 kHz or above 1705 kHz shall be attenuated at least 20 dB below the level of the unmodulated carrier. Determination of compliance with the 20 dB attenuation specification may be based on measurements at the intentional radiator's antenna output terminal unless the intentional radiator uses a permanently attached antenna, in which case compliance shall be demonstrated by measuring the radiated emissions.

For reasons that will be explained below, I believe the Commission can best serve the public interest by adding the following paragraph to section 15.219:

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(d) As an alternative to the provisions of (a) and (b), intentional radiators used for the transmission of speech or music using amplitude modulation may comply with the following:

(1) The total input power to the final radio frequency stage (exclusive of filament or heater power) shall not exceed 500 milliwatts.

(2) The total length of the transmission line, antenna and ground lead (if used) shall not exceed 15 meters.

(3) The frequency of operation shall be a standard broadcast frequency as defined in Part 73 subpart A. The frequency shall be chosen such that operation is not within the protected field strength contours of licensed AM stations.

(4) A frequency tolerance of ± 100 Hz shall be maintained.

(5) Non-local programs shall not constitute more than 25 percent of the program material transmitted by a station operating under these provisions. Non-local programs are defined as those provided by networks or similar organizations located outside of the station's coverage area.

(6) All operation under this paragraph must be conducted on a noncommercial basis. No sponsored programs or commercial advertisements may be transmitted.

RATIONALE

In radio broadcasting in recent years, there has been a decline in localism and reduced diversity of programming. The Telecommunications Act of 1996 has resulted in the concentration of broadcast station ownership into fewer and

fewer hands. Local music and other aspects of local culture have little chance of getting airplay. Public affairs programming is usually limited to a few hours per week, transmitted on Sunday mornings and at other times when few people are listening.

Members of many political, ethnic and demographic groups do not feel that they are adequately served by existing broadcast outlets. Many minority viewpoints and subcultures do not have a broadcast voice. Civic matters of concern to limited neighborhoods and very small communities receive little or no discussion in broadcast media.

The costs of obtaining a radio broadcast license -- filing fees and engineering studies, combined with the financial qualification rules -- effectively exclude poor communities, civic organizations with small budgets, and ordinary individuals from obtaining licenses. Listeners are unnecessarily deprived of their right to hear a broad spectrum of political and cultural viewpoints.

Serious court challenges against the current regulatory scheme's prohibition of low-power broadcasting have been initiated. The lack of variety and absence of localism in licensed broadcasting have been cited as motivations by the new wave of unlicensed "micro radio" operators. In their August 20 issue, the editors of Radio World magazine condemned illegal "pirate" broadcasters but added, "The legal limits

of unlicensed operation are set too low. The radio band can accommodate more low-power operations than it does."

Creation of an unlicensed "neighborhood broadcasting service" is a logical solution to some of these problems. The Part 15 rules (15.219 and 15.239) already allow unlicensed transmissions. However, the power levels permitted are not sufficient to provide coverage for any area that could reasonably be called a neighborhood or community. Therefore I propose that the power limits in 15.219 be increased for audio transmissions (but not for other types of signals) on the AM band.

AM is suggested rather than FM because AM antennas do not need to be at great heights above the local terrain in order to effectively serve an area. Thus AM can be used by organizations that are not able, for various reasons, to erect a tall antenna tower as would be needed for FM. However, liberalization of the rules for the FM band might also be appropriate.

PRECEDENT

This proposal is not radical or unprecedented. 47 CFR Section 15.221(b) has already established an unlicensed AM broadcast service that serves people who live, work and study in relatively small geographical areas (educational campuses). This proposal is a logical extension of the same principle.

Section 15.219 allows over-the-air transmission of any type of signal with 100 milliwatts of power. This provision has been in effect for many years and has not resulted in serious harm to the signals of licensed broadcast stations. A moderate increase in the power limit for unlicensed audio transmissions, accompanied by technical standards designed to prevent interference, will not harm existing users of the spectrum and will promote the public interest, convenience and necessity by increasing diversity and localism in broadcasting.

SAFEGUARDS

This proposal contains several safeguards designed to prevent any undermining of the licensed broadcast service. The technical standards in (3) and (4) are modeled after the standards for the campus carrier-current service and the Travelers Information Service, respectively.

In various discussions of low power broadcasting, commercial licensees have expressed a concern that unlicensed stations could unfairly take in commercial revenue without having to bear the regulatory burdens placed upon licensed stations. They have also expressed a concern that business owners might be tempted to start their own advertising stations rather than buying commercials on licensed stations. This proposal addresses those concerns by specifying that it only authorizes noncommercial broadcasts.

ADDITIONAL BENEFITS

In addition to the benefits for the general public which I have outlined above, adoption of this proposal will provide some benefits to the broadcasting industry.

Licensed AM broadcasters will benefit from an increased public awareness of the AM band. AM listenership has declined in recent years, especially among young people, but the presence of diverse neighborhood AM stations -- some of which might be operated by young people -- would reverse that trend. This could result in a general rejuvenation of AM broadcasting's public image and increased listenership for all AM stations.

Manufacturers of broadcast equipment will benefit by having a new opportunity to sell transmitters, antennas, and studio equipment.

COUNTER-ARGUMENT

One of the likely arguments against this proposal is the assertion that an abundance of half-watt signals across the country will create "chaos" in the AM band at night, when signals travel farther than in the daytime. It is true that stations operating on "oddball" frequencies could create an annoying heterodyne whine in fringe reception areas of distant stations on adjacent channels. However, my proposal

clearly specifies that standard frequencies must be used. Stations conforming to this rule will not create that type of interference. It is indeed possible to detect a very weak signal from hundreds of miles away, but this only holds true for people using special receivers and antennas. People using ordinary receivers are unaware of the experimental Morse code beacons currently operating in the AM band under the existing Part 15 rules, for example. Again, we have our experience with the existing Part 15 services to indicate that there is no danger of significant interference to high power, licensed stations.

STANDING

I am a member of the general public. Adoption of this proposal would not bring me any monetary gain, but would restore my right to hear and participate in community-based broadcasting.

Respectfully submitted,

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